

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KEVIN DOUGLAS DONAHOE,

Plaintiff,

v.

ROBERT LEWIS, et al.,

Defendants.

CASE NO. C10-5631BHS

ORDER DENYING MOTION
FOR RECONSIDERATION

This matter comes before the Court on Plaintiff Kevin Donahoe's ("Donahoe") motion for reconsideration of the Court's order (Dkt. 84) revoking his use of the electronic case filing system. Dkt. 90. The Court has considered the motion and the remainder of the file and hereby denies the motion for the reasons stated herein.

I. FACTUAL AND PROCEDURAL HISTORY

On November 10, 2010, the Court issued a notice to Donahoe that he had abused the electronic case filing system in filing documents in this action that contain information that is inappropriate for public viewing, including alleged home addresses of public officials, as well as filing multiple documents a day, almost none of which comport with the Federal Rules of Civil Procedure. Dkt. 79. The Court put Donahoe on notice that he was no longer to file documents containing private information, unless first placing such documents under seal, and that any documents filed must comport with the Federal Rules of Civil Procedure. *Id.* Further, the Court notified Donahoe that if he

1 failed to comply with the notice, he was subject to sanctions including revocation of his
2 use of the electronic case filing system. *Id.*

3 Following the Court's notice to Donahoe, he filed a document titled "Reply To
4 Document 79 (strong words from a pussy cat nice soul like Benjamin Settle who is going
5 to 'I pray' help me regain my constitutional rights)." Dkt. 80. The document did not
6 conform to the Federal Rules of Civil Procedure and contained entirely irrelevant material
7 as well as language that was inappropriate in documents filed with the Court. *See id.*
8 Further, Donahoe filed three additional documents that did not comport with the Federal
9 Rules of Civil Procedure. *See* Dkts. 81, 82, & 83. On November 12, 2010, the Court
10 issued an order revoking Donahoe's use of the electronic case filing system. Dkt. 84.

11 II. DISCUSSION

12 Motions for reconsideration are governed by Local Rule CR 7(h), which provides
13 as follows:

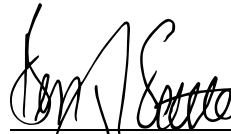
14 Motions for reconsideration are disfavored. The court will ordinarily
15 deny such motions in the absence of a showing of manifest error in the prior
16 ruling or a showing of new facts or legal authority which could not have
17 been brought to its attention earlier with reasonable diligence.

18 Local Rule CR 7(h)(1). The Court concludes that Donahoe has failed to meet his burden
19 to show manifest error on the part of the Court or new facts or legal authority that would
20 entitle him to reconsideration of the Court's revocation of his use of the electronic case
21 filing system.

22 III. ORDER

23 Therefore, the Court hereby **ORDERS** that Donahoe's motion for reconsideration
24 (Dkt. 90) is **DENIED**.

25 DATED this 31st day of March, 2011.

26 
27 BENJAMIN H. SETTLE
28 United States District Judge